

*E1 am 3* and lyses said non-neuronal tumor cell in ~~said~~ mammal, thereby treating the non-neuronal cancer.

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**REMARKS**

Reconsideration is requested.

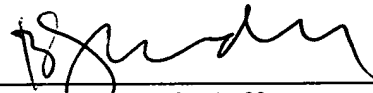
Claim 23 has been amended to correct an obvious typographical error.

The claims are submitted to be in condition for allowance for the reasons of record and a Notice to that effect is requested. The Examiner is requested to contact the undersigned if anything further is required in this regard.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS**

Amend the claims as follows.

23. (Amended) A method of treating a non-neuronal cancer, which comprises a non-neuronal tumor cell, in a mammal, said method comprising the step of injecting a mammal intratumorally with an effective amount of a mutant herpes simplex virus comprising a non-functional gene, wherein said non-functional gene consists essentially of a non-functional gamma [35.4] 34.5 gene and wherein said mutant virus infects, replicates and lyses said non-neuronal tumor cell in said mammal, thereby treating the non-neuronal cancer.